

16152
U.S. PTO

121203

PTO/SB/05 (08-03)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

To Be Assigned

First Inventor

Robert E. Shostak

Title

Voice-Controlled Wireless Communications
System and Method

Express Mail Label No.

EV 302277713 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450031088 U.S. PTO
10/735218

121203

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 112]
(preferred arrangement set forth below)
- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table,
or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 13]
5. Oath or Declaration [Total Sheets 3]
a. ☐ Newly executed (original or copy)
b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
a. ☐ Computer Reader Form (CRF)
b. Specification Sequence Listing on:
i. ☐ CD-ROM or CD-R (2 copies); or
ii. ☐ Paper
c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☒ Copies of IDS
Statement (IDS)/PTO-1499 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☒ Other: Transmittal Letter w/Prelim. Amnd (3p); Copies
of original application; Check # 54719 for \$468.00
Express Mail No. EV302277713US; Postcard.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/231,720

Prior application information:

Examiner Charles CraverArt Unit: 2682For CONTINUATION OF DIVISIONAL APPS only; The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number: 26379 OR ☐ Correspondence address below

Name	Timothy W. Lohse, Reg. No. 35,255				
Address	Gray Cary Ware & Freidenrich LLP 2000 University Avenue				
City	East Palo Alto	State	California	Zip Code	94303
Country	United States	Telephone	650-833-2055	Fax	650-833-2001
Name (Print/Type)	Timothy W. Lohse		Registration No. (Attorney/Agent)	35,255	
Signature			Date	December 12, 2003	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

American LegalNet, Inc.
www.USCourtForms.com

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FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Complete if Known

Application Number	To Be Assigned
Filing Date	December 12, 2003
First Named Inventor	Robert E. Shostak
Examiner Name	To Be Assigned
Art Unit	To Be Assigned
Attorney Docket No.	2101418-991102

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 468.00)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

07-1896

Gray Cary Ware & Freidenrich LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	385
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					385.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
4	-20** = 0	9	0
Independent Claims	4	-3** = 1	43
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$) 43.00

**or number previously paid, if greater; For Reissues, see above

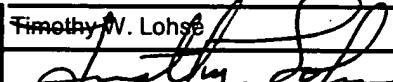
FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
SUBTOTAL (3) (\$)					40.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type)	Timothy W. Lohse	Registration No. (Attorney/Agent)	35,255	Telephone	650-833-2055
Signature		Date	December 12, 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the accuracy of this information should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)Docket No.
2101418-991102

Applicant(s): ROBERT E. SHOSTAK

Serial No.
Not Yet AssignedFiling Date
HerewithExaminer
N/AGroup Art Unit
N/AInvention:
VOICE-CONTROLLED WIRELESS COMMUNICATIONS SYSTEM AND METHOD

I hereby certify that the following patent application documents:

1. Utility Patent Application Transmittal (1 pg.);
2. Transmittal Letter with Preliminary Amendment (3 pgs.);
3. Copy of previous application: Specification (112); Drawings (13); Declaration (3); Assignment (4);
4. Preliminary Amendment (5 pgs.);
5. Transmittal of Formal Drawings (1 pg);
6. Ten (10) sheets formal drawings;
7. Information Disclosure Statement with Form PTO 1449 (3 pgs);
8. IDS References: 4 US Patents; 1 Int'l Search Report; 1 Written Opinion;
9. Fee Transmittal FY 2004 (1 pg.);
10. Check Number 549757 in the amount of \$468.00;
11. Express Mailing Certificate No. EV302277713 US; and
12. Return postcard.

Is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450 on December 12, 2003.

(Date)

CATHY PITTMAN

(Signature of Person Mailing Correspondence)

EV 302277713 US

("Express Mail" Mailing Label Number)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Robert E. Shostak

Serial No.: To Be Assigned

Group Art Unit: To Be Assigned

Filed: December 12, 2003

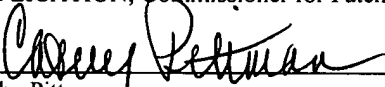
Examiner: To Be Assigned

Title: VOICE-CONTROLLED WIRELESS COMMUNICATIONS
SYSTEM AND METHOD

EXPRESS MAIL NO.: EV 302277713 US

Date of Deposit December 12, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Cathy Pittman

TRANSMITTAL OF DIVISIONAL APPLICATION AND PRELIMINARY AMENDMENT

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir/Madam:

Applicant hereby respectfully submits the enclosed

[X] Divisional application under **37 CFR §1.53(b)**, of prior application Serial No. 10/231,720 filed on August 30, 2002, which is a continuation-in-part of prior application Serial No. 09/947,235 filed on September 5, 2001.

entitled: VOICE-CONTROLLED WIRELESS COMMUNICATIONS
SYSTEM AND METHOD

1. Copy of Prior Application as Filed Which is Attached

- ☒ The undersigned hereby verifies that the attached papers are a true copy of the above-identified prior application, including the oath or declaration originally filed (37 CFR 1.53(b)).

The copy of the papers of prior application as filed which are attached hereto are as follows:

78 pages of specification
8 pages of claims
1 page of abstract
15 pages of Appendix A
10 pages of Appendix B
13 sheet(s) of drawings
3 pages of Declaration and power of attorney;
4 pages of Assignment ;

2. Amendments

- ☒ Cancel in this application original claims 1-51 and 56 of the prior application before calculating the filing fee.
☒ A preliminary amendment is enclosed.

3. Inventorship Statement

With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. 120, the inventor(s) in this application are:

- ☒ the same;
☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted;
☐ not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is being filed herewith.

4. Assignment

- ☒ The prior application is assigned of record to Vocera Communications, Inc.
A copy of the recorded assignment is enclosed.

5. Fee Payment Being Made At This Time

- ☒ Check No. 549757 in the amount of \$ 468.00 is enclosed.

6. Authorization To Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge any underpayments or debit any overpayments which may be required by this paper and during the entire pendency of the application to Account No. 07-1896:

7. Power of Attorney

☒ The power of attorney in the prior application is to

☐ The following names:

☒ All names associated with Customer Number:

26379

Gray Cary Ware & Freidenrich LLP
2000 University Avenue
East Palo Alto, CA 94303

☒ All future correspondence should be addressed to:

Timothy W. Lohse
GRAY CARY WARE & FREIDENRICH LLP
2000 University Avenue
East Palo Alto, CA 94303

8. Abandonment of Prior Application (if applicable)

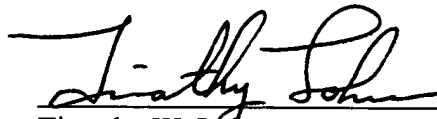
☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

9. Formal Drawings

☒ At this time, Applicant is filing the formal drawings for this divisional application under separate cover.

Respectfully submitted,

Dated: December 12, 2003



Timothy W. Lohse
Reg. No.: 35,255
Attorney for Assignee

GRAY CARY WARE & FREIDENRICH LLP
2000 University Avenue
East Palo Alto, CA 94303
Telephone: (650) 833-2055
Facsimile: (650) 833-2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Robert Shostak		
Serial No.:	To Be Assigned	Group Art Unit:	To Be Assigned
Filed:	December 12, 2003	Examiner:	To Be Assigned
Title:	VOICE-CONTROLLED WIRELESS COMMUNICATIONS SYSTEM AND METHOD		

* *

TRANSMITTAL OF FORMAL DRAWINGS

Asst. Commissioner for Patents
Attn.: Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are ten (10) sheets of formal drawings for the above-identified application.

Please address all future communications regarding this application to:

Timothy W. Lohse
Patent Department - EM
GRAY CARY WARE & FREIDENRICH LLP
2000 University Avenue
East Palo Alto, CA 94303

Please direct all telephone calls to Timothy W. Lohse at (650) 833-2055.

Dated: December 12, 2003

GRAY CARY WARE & FREIDENRICH LLP

By

Timothy W. Lohse
Reg. No. 35,255
Attorney for Applicant

GRAY CARY WARE & FREIDENRICH LLP
ATTN: Patent Department
2000 University Avenue
East Palo Alto, CA 94303
(650) 833-2055